



**ACTON PLANNING BOARD**

**Minutes of Meeting  
January 8, 2008  
Acton Memorial Library**

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Edmund Starzec (Clerk), Ms. Ruth Martin, Mr. Bruce Reichlen, Mr. Alan Mertz, Associates Mr. Roland Bourdon and Mr. Ryan Bettez attended. Also present were Planning Director, Roland Bartl and Secretary, Ms. Kim DeNigro.

Absent was Mr. Christopher Schaffner (Vice Chairman) and Mr. Michael Densen.

Mr. Niemyski called the meeting to order at 7:30 PM.

**I. Citizens Concerns**

Mr. James Russell, 5 Palmer Lane, stated the minutes from 10/23/07 did not mention what he called a vote from the Board on the matter of access to Acorn Park.

**II. Consent Agenda**

Item A - Minutes of 12/11/07 was pulled for discussion. Mr. Mertz stated the minutes did not reflect some Board members' support for the revised single access and gated emergency access to Acorn Park Drive. Mr. Mertz suggested some amendments and then moved to support the minutes as amended, Mr. Starzec 2<sup>nd</sup>, all in favor, pass unanimously.

Item B – Grassy Pond Place – vote on bond calculation, Item C – Milberry Lane – bond release and Item D – Spring Farm Circle – extension of 1 year deadline for plan endorsement were approved by unanimous vote.

**III. Reports**

CPC: Mr. Starzec reported three proposals will be heard at the next meeting this coming Thursday.  
WCF Study Committee: Mr. Reichlen reported the next meeting will be this Wednesday.

**IV. Municipal Exemption, Potential Zoning Amendments for '08 ATM – discussion**

Ms. Rosenzweig, Selectman, was present to discuss municipal exemption from zoning suggesting that there is a need for one. Ms. Rosenzweig explained that currently the Zoning Bylaw contains a municipal use exemption, i.e. municipal uses are allowed in every zoning district. There are no exemptions for municipal uses, sites, or buildings from the dimensional rules of the zoning bylaw. The Town could decide to create a general municipal exemption of a special municipal use district. For a municipal use district, the zoning bylaw could, but does not have to prescribe separate dimensional standards, standards for public review, or procedures to waive standards.

Ms. Rosenzweig explained that there are growing needs for town services and that municipal services are unique, as well as helping with protecting residents and guiding the impacts of expansion of needs and wants. She explained the solutions could provide the maximum flexibility and returns on investment for the Town and stated that a municipal inventory is needed.

The Planning Board questions and concerns included:

- Worried of resident's response.
- Have a track of appeal or a process.
- Have a second set of rules with boundaries.
- Create a special permit process.

Ms. Rosenzweig will provide advice from the Board of Selectmen to move ahead for the public hearing on 2/12/08.

The Board Chairman thanked Ms. Rosenzweig for her time and effort.

#### **V. Draft Decision - The Residences at Quail Ridge - Discussion**

The Board members reviewed staff's first draft decision. Board members discussed whether there is a need to have a full second entrance/exit from Great Road to the development. Some members are worried that a single entrance or exit could cause unacceptable back ups at peak times. There was general agreement that a second access should be pursued through the Great Road Condominium, that the outstanding sidewalks on Great Road must be built, that Skyline Drive must have a sidewalk, and that the access trail from Hazelnut Street to the Nagog Hill Conservation land needs to be built and the easement offered to the town.

Board members would like to see a good faith effort from the applicant for second access through Great Road Condominium before other options may be reconsidered. Further public hearings seem necessary in a step by step process with time lines to establish if and where there will be second access.

Mr. Mertz explained his concern with a mandatory need for a second access, citing the limited width of the Acorn Park streets. He took exception to several paragraphs, wording and phrasing in the draft decision and provided Mr. Bartl with a marked up copy.

Other issues discussed:

Any effects on current abutters property value and future residents; the applicant has the right to build something; great burden on existing neighborhood; stubs from Acorn Park were to be used as a connection; number of units not previously anticipated for connecting; neighbors worried that senior drivers could cause a risk; road shoulders might not be able to support an ambulance; the volume of new cars would not be much larger than what a single family development under base-zoning would generate; try to go one step at a time. Try to work for a better solution with creative approaches with a tough situation.

Mr. Niemyski motioned to approve the direction taken in the draft decision with modifications to address Mr. Mertz's comments so as to avoid inevitability of a second street access; the applicant must show a good faith effort for access through Great Road Condos and if that fails the applicant will return to the Board with alternatives; try to go one step at a time to work for a better solution with creative approaches for access in a tough situation. Mr. Bourdon motioned, 2<sup>nd</sup>, all in favor.

The Planning Board directed staff to revise and complete the draft decision for discussion and review at next meeting.

#### **VI. Draft Decision – Gymboree Sign Special Permit a@ 5-19 Nagog Park**

Board members reviewed staff's draft decision for approval with conditions. Mr. Niemyski moved to approve the decision as drafted. 2<sup>nd</sup>.

Vote: Mr. Niemyski, Ms. Martin, Mr. Reichlen, Mr. Mertz, Mr. Bourdon and Mr. Ryan Bettez in favor. Motion carried 6-0.

#### **VII. Draft Zoning Articles - discussion**

Board members discussed and reviewed the draft articles for potential zoning amendments for the 2008 Annual Town Meeting.

Acton Open Door Theater/Dragonfly Theater – Mr. Bartl pointed out the draft article, which would propose a 'cultural overlay district' as opposed to rezoning land.

Mr. Bartl noted that all draft articles have had preliminary review by Town Counsel.

Mr. Reichlen moved to close the meeting, Mr. Starzec 2<sup>nd</sup>; all voted in favor.

The meeting adjourned at 9:30 PM.